

## Message Text

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E.O. 11652: XGDS-1

TAGS: PFOR, LOS, NATO

SUBJECT: NATO CONSULTATIONS ON LAW OF THE SEA: CANADIAN COOPERATION

REF: (A) GENEVA 3409 (B) USNATO 1298

1. PARA 9 OF REFTEL A ASKS WHAT WE CAN DO TO ENCOURAGE CLOSER CANADIAN COOPERATION ON LOS ISSUES WITH NATO ALLIES. THERE ARE MULTILATERAL ACTIVITIES RELEVANT TO BASIC LOS SECURITY ISSUES THAT THE US CAN ENCOURAGE AT NATO. BUT THERE IS LITTLE WE CAN DO HERE BILATERALLY TO AFFECT CANADIAN PERFORMANCE IN LOS NEGOTIATIONS.

2. TO PROMOTE CLOSER COORDINATION AMONG NATO COUNTRIES ON LOS ISSUES, WE COULD:

A. CONTINUE SPECIAL COUNCIL MEETINGS WITH PARTICIPATION OF HIGH LEVEL LOS OFFICIALS. SUCH MEETINGS COULD BE HELD NOT ONLY BEFORE MAJOR LOS CONFERENCES, AS WITH THE CARCAS AND GENEVA SESSIONS, BUT AT MORE REGULAR INTERVALS SO THE NAC COULD QUESTION NATO LOS EXPERTS ABOUT THEIR ACTIVITIES AND THE NEGOTIATIONS.

B. ENCOURAGE THE INTEREST OF NATO MILITARY AUTHORITIES IN KEY LOS ISSUES. FOLLOWING THE MARCH 6 NAC LOS CONSULTATIONS, THE MILITARY COMMITTEE REQUESTED SACLANT, IN CONSULTATION WITH OTHER MNCS, TO PROVIDE FOR THE COUNCIL AN ASSESSMENT OF THE MILITARY CONSEQUENCES  
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TO NATO OF ONGOING LOS NEGOTIATIONS. THIS IS AN AREA WHERE THE VIEWING NATO MILITARY AUTHORITIES ARE SIMILAR TO OUR OWN AND WE SHOULD ENCOURAGE A CONTINUING DIALOGUE TO ENSURE THAT THE VIEWS OF NATO MILITARY AUTHORITIES ARE TRANSMITTED TO CAPITALS.

C. PROMOTE AN IS/IMS PAPER ON CURRENT STATUS OF LOS NEGOTIATIONS AND MAJOR LOS ISSUES THAT AFFECT ALLIANCE DEFENSE INTERESTS. SUCH A PAPER COULD SERVE AS A BASIS FOR NARROWLY FOCUSED NAC NAC CONSULTATIONS ON LOS ISSUES CENTRAL TO ALLIANCE DEFENSE.

3. THESE ACTIVITIES COULD PROVIDE A CONTEXT FOR CLOSER LIAISON AMONG ALLIED REPRESENTATIVES ON LOS AND MARGINAL INDUCEMENT TOWARD BETTER COOPERATION. BUT WE WOULD NOT WANT TO EXAGGERATE THE LIKELY INFLUENCE OF NATO ADVICE ON LOS DELEGATIONS AND LOS EXPERTS. ANY EFFORT TO HAVE THE NAC CONSULT WITH THE AIM OF DEVELOPING GUIDANCE TO LOS DELEGATIONS WOULD MEET RESISTANCE FROM A NUMBER OF ALLIED GOVERNMENTS WHOSE POSITIONS ON LOS ISSUES ARE AT VARIANCE WITH THOSE SUPPORTED BY MOST ALLIANCE MEMBERS.

4. AS FOR THE CANADIANS, WE SEE THE PROBLEM ARISING NOT ONLY FROM GEOGRAPHY AND A DIFFERING NATIONAL PRECEPTION OF LOS NEEDS, BUT ALSO FROM A DESIRE TO STRIKE A THIRD WORLD STANCE ON LOS ISSUES AS DEMONSTRATED BY AMBASSADOR BEESLEY. CANADIANS HERE TOLD US BEESLEY CAME UNWILLINGLY TO THE MARCH 6 NAC LOS CONSULTATIONS. AND ONCE HERE, HE LECTURED THE PREMREPS AT LENGTH ON HIS ACCOMPLISHMENTS AND CONTRIBUTION TO LOS. EVIDENTLY, HE WAS NOT IMPRESSED BY DEPUTY SYG PANSA'S SUMMATION SUGGESTION THAT ALLIED REPS CONTINUE CONSULTATIONS AT GENEVA.

5. WHILE WE DOUBT BILATERAL EFFORTS HERE WOULD BE HELPFUL, SYG LUNS MIGHT MAKE AT LEAST SOME IMPRESSION IF HE EXPRESSED CONCERN FORMALLY OR AT PERMREP INFORMAL GATHERING AT APPARENT LACK OF UNANIMITY AMONG NATO ALLIES ON CERTAIN CRITICAL LOS ISSUES. WHILE WE HAVE NO ASSURANCE THAT LUNS WOULD AGREE, WE COULD SEEK TO ENLIST HIS ASSISTANCE IN CONNECTION WITH LOS CONSULTATIONS.

6. ACTION REQUESTED: WASHINGTON COMMENT.  
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